

### **REMARKS**

Claims 1, 2 and 4-8 are rejected and are all the claims pending in the application.

Reconsideration and allowance of this application are respectfully requested.

#### **I. Summary of Claim Rejection**

Claims 1, 2 and 4-8 are rejected under 35 U.S.C 103(a) as obvious over Nagao et al (U.S. Pat. 6,759,183; "Nagao"), or Saito et al (U.S. Pat. 6,613,459; "Saito") - either one taken with either Takeuchi et al (U.S. Pat. 4,699,835) or Kato et al (U.S. Pat. 4,581,270).

#### **II. Summary of Interview with Examiner**

The following are the summary of the interview conducted on September 19, 2006:

Applicant argued that the present invention requires the side surface of the magnetic layer to be coated, while the protective coating in the prior art (Takeuchi and Kato) is made over the substrate; and the prior art (e.g., Fig. 6 of Takeuchi) shows a protective layer only on the inner surface of the hub portion.

In addition, the Examiner indicated, even though not recorded in the Interview Summary, that claim 1 may be patentable if the claimed subject matter is directed to a "master information carrier" distinguished in structural aspect from a conventional floppy disk which Takeuchi and Kato are directed to.

### III. Analysis of Claim Rejection under 35 U.S.C. § 103(a)

In rejecting claims 1, 2 and 4-8, the Examiner alleges that Takeuchi and Kato teach the protective coating on the inner edge of the claimed master information carrier.

However, it is respectfully submitted that neither Takeuchi nor Kato can be combined with Nagao or Saito to teach or suggest the protective coating on the at least one of side surfaces of the magnetic layer formed on the substrate as disclosed in claim 1. In other words, even though Takeuchi and Kato discloses a protective coating on the inner edge of a magnetic disk; nonetheless, these references still fail to disclose whether the protective coating is applied to the side surface of the magnetic layer.

It should be noted that both references are provided to overcome misalignment between the circular hole of a magnetic disk and disk positioning members as shown in Figs. 2 and 3 of both references. To solve this problem, a protective coating is applied to the inner circular edge which is exposed (not covered by the disk jacket) and which corresponds to the area 3a in Fig. 1A of the present Application.

In Figs. 1-3 and related portions of the specification, Takeuchi mentions printing resin composition (a protective coating) on a peripheral "edge portion" of the circular hole in the center of the magnetic disk sheet. Here, the "edge portion" should not be viewed as a side surface even though "2a" in Figs. 1-3 points to a side edge; the "2a" only indicates the overall sandwiched portion of the sheet "2", not particularly indicating a side surface. In explaining the location of the resin composition on the "edge portion", Takeuchi clarifies in Fig. 6 that the

coating is made between D1 and D2 on the upper surface of the magnetic sheet, which is not a side surface of the magnetic disk.

More importantly, assuming *arguendo* that a protective coating is made on a “side surface” as pointed to by “2a” in Figs. 1-3 of Takeuchi, that “side surface” does *not* correspond to a side surface of a magnetic layer of claim 1 *but* may at best correspond to a side surface “31a” of a substrate “31” as shown in Figs. 1A and 1B of the present application. For the same reasons, Kato also does not mention whether the coating is applied to a side surface of the magnetic layer as claimed.

In the meantime, Applicant notes that both Takeuchi and Kato are directed to a flexible floppy disk while the claimed subject matter is to a master information carrier for magnetic transfer.

Generally, it is known that the surface of the master information carrier is uneven while that of the floppy disk is flat. Specifically, the master information carrier of the present invention is produced by forming protrusions and recesses on the surface of the substrate and by depositing the magnetic layer and the protective coating on the surface of the protrusions and the recesses. The problem to be solved by the present invention is to overcome the difficulty in fully covering the magnetic layer having fine protrusions and recesses thereon with the protective coating. In contrast, in the first place, there is no such problem with the floppy disk since it is very easy to deposit a protective coating on the magnetic layer of the floppy disk, which has no

protrusions or recesses on the surface thereof. Thus, the claimed master information carrier is completely different from the floppy disk even from the viewpoint of the basic concept.

In the specification of the present application, the substrate 31 and the magnetic layer 32 in Figure 1B correspond to the substrate 31 and the magnetic layer 32 in Figure 2B (please refer to the specification at page 2, line 5-11 and page 8, line 25 through page 9, line 2). Therefore, although the fine uneven pattern is not illustrated in Figure 1B, the same fine uneven pattern as the uneven pattern illustrated in Figure 2B is also formed on the surface of the magnetic layer 32 in Figure 1B.

In the present invention, the surface of the protrusions of the magnetic layer is brought into close contact with the flat surface of the magnetic layer of the slave medium during magnetic field application. Accordingly, the magnetic layer of the slave medium is magnetized based on the uneven pattern, and information is transferred onto the slave medium. The structure of the floppy disk is similar to that of the slave medium, and the surface of the floppy disk is flat; namely, no uneven pattern is formed on the floppy disk. If an uneven pattern were formed on the floppy disk, the disk would be broken by collision when the surface of the magnetic layer of the floppy disk is brought into close proximity to, or contact with, a magnetic head during rotation of the disk. Therefore, it is necessary that the surface of the floppy disk is flat.

Meanwhile, claim 1 recites "a substrate having a pattern of protrusions and recesses" and "a magnetic layer formed on the pattern of protrusions and recesses of the substrate". Therefore, claim 1 clearly recites the features that distinguish the master information carrier of the present

invention from the floppy disk, that is, the protrusions and recesses on the surface of the master information carrier.

Therefore, Applicant respectfully submits that claim 1 would not have been rendered obvious over Nagao or Saito in view of either Takeuchi or Kato. In addition, Bigelow et al (U.S. Pat. 5,426,535) also does not teach the claimed subject matter.

Applicant submits that claim 2 should be allowable at least by virtue of their dependency on claim 1.

With respect to claims 4 and 5, Applicant submits that the conventional floppy disk does not provide the structure in which a formation area of the protective coating is wider than a formation area of the magnetic layer, or the same or wider than a formation area of the pattern of protrusions and recesses of the substrate. Thus, claims 4 and 5 should not be rendered obvious in view of the conventional floppy disk. Claims 4-5 should also be allowable by virtue of their dependency on claim 1.

Applicant submits that claims 6, 7 and 8 should be allowable at least by virtue of their dependency on claim 1.

#### **IV. Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

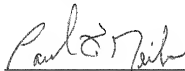
**RESPONSE UNDER 37 C.F.R. § 1.116**  
**U.S. Patent Application No.: 10/779,850**

**Attorney Docket No.: Q79919**

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Paul F. Neils", is written over a horizontal line.

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